

OFFICIAL LOCAL FORM 3

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

CHAPTER 13 PLAN COVER SHEET

Filing Date: 1/08/15
Debtor: Richard F Berlo
SS#: xxx-xx-2651
Address: 293-295 Forest Hills Street
Jamaica Plain, MA 02130

Debtor's Counsel: Matthew T. Desrochers 644504
274 Main Street, Suite 208
Address: Reading, MA 01867
Telephone #: Tel. (781) 279-1822
Facsimile #: Fax (781) 944-1599

Docket #: 15-10067-FJB
Co-Debtor: _____
SS#: _____
Address: _____

ATTACHED TO THIS COVER SHEET IS THE CHAPTER 13 PLAN FILED BY THE DEBTOR(S) IN THIS CASE. THIS PLAN SETS OUT THE PROPOSED TREATMENT OF THE CLAIMS OF CREDITORS. THE CLAIMS ARE SET FORTH IN THE BANKRUPTCY SCHEDULES FILED BY DEBTOR(S) WITH THE BANKRUPTCY COURT.

YOU WILL RECEIVE A SEPARATE NOTICE FROM THE BANKRUPTCY COURT OF THE SCHEDULED CREDITORS' MEETING PURSUANT TO 11 U.S.C. § 341. THAT NOTICE WILL ALSO ESTABLISH THE BAR DATE FOR FILING PROOFS OF CLAIMS.

PURSUANT TO THE MASSACHUSETTS LOCAL BANKRUPTCY RULES, YOU HAVE UNTIL THIRTY (30) DAYS AFTER THE § 341 MEETING OR THIRTY (30) DAYS AFTER THE SERVICE OF AN AMENDED OR MODIFIED PLAN TO FILE AN OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN, WHICH OBJECTION MUST BE SERVED ON THE DEBTOR, DEBTOR'S COUNSEL AND THE CHAPTER 13 TRUSTEE.

OFFICIAL LOCAL FORM 3

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

PRE-CONFIRMATION CHAPTER 13 PLAN

CHAPTER 13 PLAN

Docket No.: 15-10067-FJB

DEBTOR(S): (H) Richard F Berlo

SS# xxx-xx-2651

(W) _____

SS# _____

I. PLAN PAYMENT AND TERM:

Debtor's shall pay monthly to the Trustee the sum of \$ 1,010.00 for the term of:

☐ 36 Months. 11 U.S.C. § 1325(b)(4)(A)(i);

☐ 60 Months. 11 U.S.C. § 1325(b)(4)(A)(ii);

☒ 60 Months. 11 U.S.C. § 1322(d)(2). Debtor avers the following cause:

The Debtor does not have enough income to fund a higher plan payment with a term of 36 months. ;or

☐ _____ Months. The Debtor states as reasons therefore:

II. SECURED CLAIMS

A. Claims to be paid through the plan (including arrears):

Creditor	Description of Claim (pre-petition arrears, purchase money, etc.)	Amount of Claim
<u>American Home Mtg Srv</u>	<u>Pre-petition arrears</u>	\$ <u>52,000.00</u>

Total of secured claims to be paid through the Plan \$ 52,000.00

B. Claims to be paid directly by debtor to creditors (Not through Plan):

Creditor	Description of Claim
<u>American Home Mtg Srv</u>	<u>First Mortgage</u>

C. Modification of Secured Claims:

Creditor	Details of Modification (Additional Details May Be Attached)	Amt. of Claim to Be Paid Through Plan
<u>-NONE-</u>		

D. Leases:

- i. The Debtor(s) intend(s) to reject the residential/personal property lease claims of
-NONE-

; or

- ii. The Debtor(s) intend(s) to assume the residential/personal property lease claims of -NONE-

- iii. The arrears under the lease to be paid under the plan are 0.00.

III. PRIORITY CLAIMS

A. Domestic Support Obligations:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

B. Other:

Creditor	Description of Claim	Amount of Claim
<u>Massachusetts Department of Revenue</u>		\$ <u>1,559.33</u>

Total of Priority Claims to Be Paid Through the Plan \$ 1,559.33

IV. ADMINISTRATIVE CLAIMS

A. Attorneys fees (to be paid through the plan): \$ 1,000.00

B. Miscellaneous fees:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

- C. The Chapter 13 Trustee's fee is determined by Order of the United States Attorney General. The calculation of the Plan payment set forth utilizes a 10% Trustee's commission.

V. UNSECURED CLAIMS

The general unsecured creditors shall receive a dividend of 0 % of their claims.

A. General unsecured claims: \$ 2,648.93

B. Undersecured claims arising after lien avoidance/cramdown:

Creditor	Description of Claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

C. Non-Dischargeable Unsecured Claims:

Creditor	Description of claim	Amount of Claim
<u>-NONE-</u>		\$ <u> </u>

Total of Unsecured Claims (A + B + C): \$ 2,648.93

- D. Multiply total by percentage: \$ 0.00
(Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

E. Separately classified unsecured claims (co-borrower, etc.):

Creditor	Description of claim	Amount of claim
-NONE-		\$
Total amount of separately classified claims payable at ____%		\$ 0.00

VI. OTHER PROVISIONS

A. Liquidation of assets to be used to fund plan:

B. Miscellaneous provisions:

VII. CALCULATION OF PLAN PAYMENT

A) Secured claims (Section I-A Total):	\$ 52,000.00
B) Priority claims (Section II-A&B Total):	\$ 1,559.33
C) Administrative claims (Section III-A&B Total):	\$ 1,000.00
D) Regular unsecured claims (Section IV-D Total):+	\$ 0.00
E) Separately classified unsecured claims:	\$ 0.00
F) Total of a + b + c + d + e above:	= \$ 54,559.33
G) Divide (f) by .90 for total including Trustee's fee:	
Cost of Plan=	\$ 60,622.20
(This represents the total amount to be paid into the Chapter 13 plan)	
H. Divide (G), Cost of Plan, by Term of Plan,	60 months
I. Round up to nearest dollar for Monthly Plan Payment:	\$ 1,010.00
(Enter this amount on page 1)	

Pursuant to 11 U.S.C. § 1326(a) (1), unless the Court orders otherwise, a debtor shall commence making the payments proposed by a plan within thirty (30) days after the petition is filed. Pursuant to 11 U.S.C. §1326(a)(1)(C), the debtor shall make preconfirmation adequate protection payments directly to the secured creditor.

VIII. LIQUIDATION ANALYSIS

A. Real Estate:

Address	Fair Market Value	Total Amount of Recorded Liens (Schedule D)
3-family homestead located at 293-295 Forest Hills Street, Jamaica Plain MA 02130 deed recorded with Suffolk county at book 29145, page 21 homestead at book 29145, page 35. value from town assessor's database	\$ 437,300.00	\$ 529,102.19
Total Net Equity for Real Property:	\$ 0.00	
Less Exemptions (Schedule C):	\$ 0.00	
Available Chapter 7:	\$ 0.00	

B. Automobile (Describe year, make and model):

-NONE- Value \$ _____ Lien \$ _____ Exemption \$ _____

Total Net Equity: \$ **0.00**
Less Exemptions (Schedule C): \$ **0.00**
Available Chapter 7: \$ **0.00**

C. All other Assets (All remaining items on Schedule B): (Itemize as necessary)

Checking account with Citizen's Bank #9740

Misc. household goods

Misc. clothing

Life Ins policy with SBLI

Investment account with ING Direct

Total Net Value: \$ **4,827.00**
Less Exemptions (Schedule C): \$ **4,827.00**
Available Chapter 7: \$ **0.00**

D. Summary of Liquidation Analysis (total amount available under Chapter 7):

Net Equity (A and B) plus Other Assets (C) less all claimed exemptions: \$ **0.00**

E. Additional Comments regarding Liquidation Analysis:

IX. SIGNATURES

Pursuant to the Chapter 13 rules, the debtor or his or her attorney is required to serve a copy of the Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a Certificate of Service accordingly.

/s/ Matthew T. Desrochers

January 30, 2015

Matthew T. Desrochers 644504

Date

Debtor's Attorney

Attorney's Address: **274 Main Street, Suite 208**
Reading, MA 01867

Tel. #: **Tel. (781) 279-1822 Fax: Fax (781) 944-1599**

Email Address: **mssslaw@yahoo.com**

I/WE DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

Date **January 30, 2015**

Signature **/s/ Richard F Berlo**

Richard F Berlo

Debtor

**United States Bankruptcy Court
District of Massachusetts**

In re **Richard F Berlo**

Debtor(s)

Case No. **15-10067-FJB**

Chapter **13**

CERTIFICATE OF SERVICE

I hereby certify that on **January 30, 2015**, a copy of the Chapter 13 plan was served electronically or by regular United States mail to all interested parties, the Debtor, the Trustee and all creditors listed below.

American Home Mtg Srv
Ahmsi / Attention: Bankruptcy
Po Box 631730
Irving, TX 75063

Collection
231 E Main St Ste 2a
Milford, MA 01757

Collection
231 E Main St Ste 2a
Milford, MA 01757

Collection
231 E Main St Ste 2a
Milford, MA 01757

Korde & Associates, PC
321 Billerica Road
Chelmsford, MA 01824-4100

Stevens Business Servi
92 Bolt St
Lowell, MA 01852

Massachusetts Department of Revenue
Bankruptcy Unit
PO Box 9564
Boston, MA 02114

/s/ Matthew T. Desrochers

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